

ANTONELLI, TERRY, STOUT & KRAUS, LLP

1300 N. Seventeenth Street

Suite 1800

Arlington, VA 22209

Phone: (703) 312-6600

Fax: (703) 312-6666

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: (703) 305-9822

To: Kathy Nelson, U.S. Patent and Trademark Office
From: Ralph T. Webb
Serial No.: 09/865,281 Client/Matter: 411.35629CX1
Date: February 19, 2002

DOCUMENTS	NUMBER OF PAGES*
Copy of postcard, stamped August 8, 2001	1
Copy of Declaration, filed August 8, 2001	2

COMMENTS:

Dear Ms. Nelson:

As you requested, attached is a copy of the stamped postcard and Declaration filed on August 8, 2002 in the above-identified application.

Please note that the Application Serial No. on the response filed on January 16, 2002 should have been 09/865,281, not 09/865,201. If possible, please make the appropriate correction.

Please let me know if you have any questions or need anything else.

Sincerely,


Ralph T. Webb, Reg. No. 33,047

The document accompanying this fax transmission contains confidential information belonging to the sender which is legally protected. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any section in reliance on the contents of this faxed information is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone to arrange for return of the faxed documents to us.

* NOT COUNTING COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT THE NUMBER ABOVE

Patent ☒ Trademark ☐ 411.35629PC2
Serial No. 09/865,281 Filed May 29, 2001
Applicant(s) KOHLER, et al
Papers filed herewith on August 8, 2001
☒ Fees \$ 65.00 ☐ Assignment
☐ New Application ☐ Letter to Draftsman
☐ Amendment ☐ Priority Documents
☐ Notice of Appeal ☐ Petition for Ext. of Time
☐ Appeal Brief ☐ Sheets of Formal Drawings
☒ Other Reply to Office Letter, Notice to file missing
parts, Declaration (2)pgs, Credit card payment form

Receipt is hereby acknowledged of the papers filed as indicated in connection with above identified case.

1/16
COMMISSIONER OF PATENTS AND TRADEMARKS



#3

Att. meys Docket No.: 411.35629PC2

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that: my residence, post office address and country of citizenship are as stated below, next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

FUSION PROTEINS OF BIOLOGICALLY ACTIVE PEPTIDES AND ANTIBODIES

the specification of which

is attached hereto.

X

was filed on May 29, 2001 as

United States Application Number 09/865,281

or PCT International Application Number _____

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority
Claimed

Prior Foreign Application(s)

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	_____	_____

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

(Application Number)	Filing Date
_____	_____
(Application Number)	Filing Date
_____	_____

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/070,907</u> (Application Number)	<u>May 4, 1998</u> Filing Date	<u>Patented -- May 29, 2001</u> (Status -- patented, pending, abandoned)
<u> </u> (Application Number)	<u> </u> Filing Date	<u> </u> (Status -- patented, pending, abandoned)

I hereby appoint: Donald R. Antonelli, Reg. No. 20,296; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montana, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; James N. Dresser, Reg. No. 22,973; Carl I. Brundidge, Reg. No. 29,621; Paul J. Skwierawski, Reg. No. 32,173; and Robert M. Bauer, Reg. No. 34,487, my attorneys; of ANTONELLI, TERRY, STOUT & KRAUS, LLP with offices located at 1300 North Seventeenth Street, Suite 1800, Arlington, Virginia 22209, teleph ne: (703) 312-6600, fax: (703) 312-6666; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send all correspondence to:

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street
Suite 1800
Arlington, VA. 22209

Direct all telephone calls and faxes to:

TEL: (703) 312-6600
FAX: (703) 312-6666

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Heinz KOHLER
Inventor's Signature [Signature] Date 7-31-01
Residence Same as P.O. Box Address Citizenship Germany
(City, State) (Country)
Post Office Address 5235 Athens Boonesboro Road, Lexington Kentucky 40509

Full Name of Second/Joint Inventor _____
Inventor's Signature _____ Date _____
Residence _____ Citizenship _____
(City, State) (Country)
Post Office Address _____